

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff/Respondent,**

**v.**

**No. 14-cv-0957 RB/SMV  
12-cr-2903 RB**

**CHRISTOPHER A. APALATEGUI,**

**Defendant/Petitioner.**

**ORDER ADOPTING MAGISTRATE JUDGE’S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Magistrate Judge’s Proposed Findings and Recommended Disposition [CV Doc. 11; CR Doc. 55<sup>1</sup>] (“PF&RD”), issued on May 4, 2015. On reference by the undersigned, the Honorable Stephan M. Vidmar, United States Magistrate Judge, reviewed Defendant/Petitioner Christopher A. Apalategui’s Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence . . . [CV Doc. 1, CR Doc. 44] (“§ 2255 Motion”). PF&RD [CV Doc. 11; CR Doc. 55]. Judge Vidmar found Petitioner’s claims were without merit. *See generally id.* at 3–16 (addressing the merits of all claims). Accordingly, Judge Vidmar recommended that the Court deny the claims raised in the § 2255 Motion and dismiss the case with prejudice. *Id.* at 16. No party has filed objections to the PF&RD, and the time for objecting has passed.


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<sup>1</sup> References that begin with “CV” are to case number 14-cv-0957 RB/SMV. References that begin with “CR” are to the underlying criminal case, 12-cr-2903 RB.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Magistrate Judge's Proposed Findings and Recommended Disposition [CV Doc. 11; CR Doc. 55] are **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant/Petitioner Christopher A. Apalategui's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence . . . [CV Doc. 1, CR Doc. 44] is **DENIED**, and the case **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**



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**ROBERT C. BRACK**  
United States District Judge